

Customer No.: 07278

Docket No.: 05432/100L890-US1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Naoki Taoka et al.

Application No.: 10/524,937

Filed: February 14, 2005

Art Unit: Not Yet Assigned

For: METHOD FOR THE SEPARATION OF
INTERMEDIATES WHICH MAY BE USED FOR
THE PREPARATION OF ESCITALOPRAM

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement (IDS) is submitted in accordance with 37 C.F.R. 1.97 and 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed: (Check one of the boxes A-D)

- ☐ A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- ☒ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- ☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

- ☐ i. Counsel states that, upon information and belief, each item of information listed herein was either (a) cited in a communication

from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

- ☐ ii. A check for the fee set forth in 1.17(p), presently believed to be \$180, is enclosed.
- ☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$130.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., Form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- ☒ A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the published United States Patent Application(s) and/or United States Patent(s) listed on Form PTO/SB08 is/are not being submitted.
- ☐ B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☐ C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

[SERIAL NO. & FILING DATE].

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record

in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☒ 3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).

☐ 4. Other information being provided for the examiner's consideration follows:

5. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

Dated: April 19, 2005

Respectfully submitted,

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known Application Number 10/524,937 Filing Date February 14, 2005 First Named Inventor Naoki Taoka Art Unit Not Yet Assigned Examiner Name Not Yet Assigned Attorney Docket Number 05432/100L890-US1		
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (# known)	Publication Date MM-DD-YYYY	Name of Patentee Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/SK/	1.	4,136,193	01-23-1979	Begesø et al.	
/SK/	2.	4,650,884	03-17-1987	Bogeso	
/SK/	3.	4,943,590	07-24-1990	Boegesoe et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Passages or Relevant Figures Appear	† ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (# known)	MM-DD-YYYY			
/SK/	4.	EP 0 171 943	11-17-1988	H. Lundbeck		
	5.	EP 0 347 066	12-20-1989	H. Lundbeck		
	6.	WO 98/00081	01-08-1998	Guidotti et al.		
	7.	WO 98/19511	05-14-1998	H. Lundbeck		
	8.	WO 98/19512	05-14-1998	H. Lundbeck		
	9.	WO 99/00210	01-07-1999	Brocco et al.		
	10.	WO 99/30548	06-24-1999	Petersen et al.		
	11.	WO 00/11926	03-09-2000	Rock et al.		
	12.	WO 00/12044	03-09-2000	H. Lundbeck		
	13.	WO 00/13648	03-16-2000	Rock et al.		
	14.	WO 00/23431	04-27-2000	H. Lundbeck		
	15.	WO 00/44738	08-03-2000	H. Lundbeck		
	16.	WO 01/02383	01-11-2001	Bolzonella et al.		
	17.	WO 01/43525	06-21-2001	H. Lundbeck		
	18.	WO 01/51478	07-19-2001	H. Lundbeck		
	19.	WO 01/68536	09-13-2001	Greenwood et al.		
	20.	WO 01/68629	09-20-2001	H. Lundbeck		
	21.	WO 01/68630	09-20-2001	H. Lundbeck		
	22.	WO 01/68631	09-20-2001	H. Lundbeck		
	23.	WO 01/68632	09-20-2001	H. Lundbeck		
	24.	WO 02/16342	02-28-2002	H. Lundbeck		
	25.	WO 03/000672	01-03-2003	H. Lundbeck		
	26.	WO 03/006449	01-23-2003	H. Lundbeck		
/SK/	27.	WO 03/051861	06-26-2003	H. Lundbeck		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Sudhakar Katakam/	Date Considered	11/05/2008
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
		Application Number	10/524,937		
		Filing Date	February 14, 2005		
		First Named Inventor	Naoki Taoka		
		Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
		Attorney Docket Number	05432/100L890-US1		
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/SK/	28.	Specialty Chemicals Magazine, pp. 36-38 (April 2003)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Sudhakar Katakam/	Date Considered	11/06/2008
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Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. **EV 447 562 217 AS** in an envelope addressed to:

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on April 19, 2005
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Signature

A. Brantini
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Information Disclosure Statement (3 pp.)
Form PTO/SB/08 (2 pp.)
Copies of 25 references (Reference Nos. 4-28)